

Pavitt, John

From: [REDACTED]
Sent: Thursday, August 15, 2013 11:58 PM
To: Pavitt, John
Subject: ITD & IDOC Asbestos Incident
Attachments: 87919 (Asbestos Test Report).pdf; Break Room Hallway.jpg; Break Room.jpg; ID Confirmation.JPG; ITD Hazardous Materials, 5-1-13.docx; Tiles by dumpster.jpg; Tiles close.jpg

Hi John,

Attached is some of the documentation I have over the asbestos incident that occurred in late April at the Rigby ITD shop. I also snapped a photo of my badge and staff ID to help verify my identity. I'll send you another email from my work address [REDACTED] on Monday with the phrase "I ain't afraid of no ghosts" (I find it fitting for the EPA) to verify it one step further.

In lieu of giving you a sworn statement later on, here's my narrative over how things have progressed in the past few months so you can get a clearer picture. Any time I sent an email from work regarding the asbestos incident I cc'd a copy to my personal email here and can forward you what I have. I also have the original emails saved and archived at work. I am able to list the specific dates in this email as I have kept a running log of everything up until the point I turned in the original samples to an evidence locker in June.

As I mentioned over the phone, the crew was given a power buffer with a metal sanding head and a powered chisel to break up the floor tiles in the mechanic building break room and adjacent hallway. I have attached pictures of the areas in question. The two doorways on the left side of the hallway lead to an employee locker room and a restroom. The work started on 4/29/13 and ended on 4/30/13. They were given some kind of moldex dust mask (possibly an N95) and foam ear plugs on both days. We used water to try to keep most of the dust down.

The file "ITD Hazardous Materials, 5-1-13" is the first initial report I wrote over the incident that I turned into my supervisor's mailbox, Sgt. Winters, on 5/1/13. It briefly describes the work the inmates were asked to do by ITD and that I have possession of floor tiles from the work zone. I have another document (a daily log I keep as the crew supervisor) that lists me as having discussed with ITD District 6's hazardous waste removal coordinator Randy Drake (who is also my main job contact at ITD) that there were inmate concerns with possible asbestos. That was the morning of 4/30/13, the second day of work. If you need me to scan that and send it to you let me know. There is a follow-up email I sent to my Lieutenant (Armstrong) on 5/22/13 that goes into more specifics about exposure times for the entire crew (6 inmates and myself). The three Inmates who were most exposed are Hanson #94034, Valencia #54525, and Obermiller #103601. They worked for a total of around 11 hours between the two days they were removing the adhesive off the floors. The rest of the inmates (Rankin #42011, Hall #64658, and McMahon #93934) were exposed periodically on 4/29 and then for at least two hours on 4/30 after I had them switch places with the other three. I was exposed on both days while observing their work and accounting for them at least once an hour.



Between 4/30/13 and roughly 5/16/13, one of the inmates (Hall) that was briefly exposed to the asbestos was sent to restrictive housing from the St. Anthony Work Camp. We do not have an RH unit at the camp so we utilize local county jails if we cannot keep an inmate at our facility for whatever reason. He sent me multiple IDOC Concern Forms, which is essentially a way for inmates to communicate with staff and have it be documented on paper. The subject of the concern forms was the work at ITD. I emailed my supervisor about the concern forms multiple times and they were summarily deleted without a response. I can confirm this since our

email program (Groupwise) gives us read receipts with emails and I have a printout of the receipt.

After not hearing anything regarding the tiles or the concern forms I took it upon myself to send some of the samples I had for testing to Western Analytical Labs on 5/17/13 via UPS. After I did this I responded to one of the concern forms that test results were pending. When the test results came back positive on 5/21, I spoke with Lt. Klingler (who is a security lieutenant and not part of my immediate chain of command) who then informed Lt. Armstrong by phone. I sent Lt. Armstrong a copy of the report on 5/22 and did not receive a response until 6/4/13 by phone call. On 5/28/13 I received another Concern Form from the inmate and I responded that he needed to defer to Lt. Armstrong. After my initial discussion with Armstrong he told me to respond to any and all concern forms regarding the incident by deferring the inmates to ITD. All concern forms sent and responded to the facility are logged by Sue Bollinger in a spreadsheet and should at least help verify my story.

On 6/6/13 Sgt. Winters told me he had not received the copy of the IR I had turned into him in his mailbox. I emailed him a copy the same day. Winters interviewed some of the exposed inmates the week after this (around 6/10/13) at our job site in Rexburg and told me he was going to take a look at things at the Rigby shop. I'll have to check my daily log files at work to give you the exact date.

On 6/10/13 I asked RN Robertson (our only site nurse at the camp) if she had been informed that I as well as inmates had been exposed to asbestos. That was the first she had heard of it. RN Robertson is the only contact point the inmates have for medical issues. Over the course of the next week she helped me make arrangements to go to Community Care in Idaho Falls on 6/17/13 for a chest x-ray with Dr. Maguire who is also the inmate doctor at the camp. I filled out an Inmate Accident Report regarding the asbestos exposure and turned them into medical on 6/18/13. It is my understanding the inmates have yet to be taken for chest x-rays and the remaining ones on my crew were supposedly told by Dr. Maguire that he was told not to.

On 6/20/13 I stopped by the Rigby ITD shop in the morning and found the same tiles near the dumpster. I took the attached photos and sent them to Lt. Armstrong by email. I also took more samples, which I still have. Later that day Warden Woolf and Lt. Armstrong drove out to a work site to meet me and briefly discuss the incident with me for about 10 minutes. I was told that they would not need any more samples than the ones I had initially collected, that the original samples would need to be turned in as evidence, and to have a chain of custody form filled out for them. I believe I turned them in on 6/21/13 (my department should have the documentation for it).

Besides that there are no developments that I am aware of and I have yet to be interviewed by anyone. If you need more information or copies of the emails I mentioned let me know and I'll forward them to you. I would greatly appreciate help in getting this information out to the right agencies if it hasn't already been done. I am not sure what stage the investigation is in, or even if there is an on-going investigation, and I am trying to make sure that the right thing gets done while trying to be as discrete as possible.

Thanks for getting back to me so quickly.

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